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| APPLICATION NO.                  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------------|-------------|----------------------|---------------------|------------------|
| 10/031,098                       | 01/10/2002  | Kevin Charles Knoke  | RCA 89673           | 6016             |
| 7590 07/25/2007                  |             |                      |                     |                  |
| Joseph S Tripoli                 |             | EXAMINER             |                     |                  |
| Thomson Multimedia Licensing Inc |             | NGO, HUNG V          |                     |                  |
| PO Box 5312                      |             | ART UNIT             |                     | PAPER NUMBER     |
| Princeton, NJ 08543-5312         |             | 2831                 |                     |                  |
|                                  |             | MAIL DATE            |                     | DELIVERY MODE    |
|                                  |             | 07/25/2007           |                     | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                               |                              |  |
|------------------------------|-------------------------------|------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/031,098 | Applicant(s)<br>KNOKE ET AL. |  |
|                              | Examiner<br>Hung V. Ngo       | Art Unit<br>2831             |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>01-10-02</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

Claim 4 is objected to because of the following informalities: claim 4, lines 10-12 is unclear. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuhn (US 5,761,054).

Re claim 1, Kuhn disclose a method of securing information being transferred from an information-storing device interacting with a host device (14, 15, 20)(Fig 2) through a port formed in the host device (col. 2, lines 4-6), the port being configured to receive the information-storing device (col. 2, lines 4-6), the method comprises the acts of:  
providing a port cover (12) having a conductor (18) formed therein along a path substantially encompassing an area between spaced edges of the port cover;  
positioning the port cover over the port and coupling it to the host device so as

to block the port (Figs 2, 4);

supplying an electric signal to the conductor formed in the port cover (Fig 6, 7a); and

monitoring the electric signal to ensure that the port cover is correctly positioned and not breached (sensing circuit)(Fig 7c).

re claim 2, further comprising the act of limiting interaction by a host device with the information-storing device if the monitored electric signal exceeds a predetermined parameter (col 3, lines 6-25).

re claim 4, Kuhn disclose an apparatus for use with a smart card, the apparatus comprising:

a host device (14, 15, 20) capable of accessing information stored in the smart card, the host device including a housing (22) having a port (contact)(col. 2, lines 4-6) formed therein, the port is configured to receive the smart card, when the smart card is inserted into the port, information can be transferred from the smart card to the host device (memory device)(col. 3, line 15);

a port cover (12) removably coupled to the housing surrounding the port, wherein the port cover physically blocks the port;

wherein the port cover comprises at least one conductor (18) that is coupled to the host device and is operable for at least one of providing an

electromagnetic shield across the port (col. 2, line 28) and providing one or more conductors (18) that are continuous absent an opening being formed in the port cover to break one of the conductors, and wherein the port cover is coupled to the host device in such a way that the host device detects discontinuity of the port cover (sensing circuit)(Fig 7c).

Re claim 5, wherein a data stream can be transferred between the smart card and the host device, when the smart card is inserted in the port and the port cover is covering the port (col. 2, lines 4-6).

Re claim 6, wherein when the port cover is installed, electrical wires (18) electrically connected to the smart card are limited from extending through the port from within the host device to outside of both the host device and the port cover (Fig 4).

Re claim 7, wherein the housing includes a mounting flange extending peripherally of the port, wherein when the port cover is attached to the mounted flange, the port cover covers the entire port such that the housing and the port cover define an enclosure (fig 4).

re claim 8, wherein at least one conductor is attached to the port cover (Fig 4); an electric sensor sensing a breach of the conductor(Fig 7c); and a limiting device limiting operation of the host device when the conductor is breached (col. 3, lines 6-20).

re claim 9, wherein the conductor comprises a plurality of wires arranged in parallel extending across the port cover (fig 4).

re claim 10, wherein the conductor comprises a conductive plate (Fig 4).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuhn.

The teaching as discussed above does not disclose the host device is a satellite receiver.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use any known electronic devices such as a satellite receiver for the host device of Kuhn for intended use.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung V. Ngo whose telephone number is (571) 272-1979. The examiner can normally be reached on Monday to Thursday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on (571) 272-2800 EXT 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2831

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HVN  
07-22-07

Hung V Ngo

**HUNG V. NGO**  
**PRIMARY EXAMINER**